IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS MCALLEN DIVISION

UNITED STATES OF AMERICA,	§		
	§		
Plaintiff,	§		
	§		
v.	§	CASE NO.	7:09-CV-023
	§		
0.78 ACRES OF LAND, MORE OR	§		
LESS, SITUATE IN STARR COUNTY,	§		
STATE OF TEXAS; AND AUGUSTO O.	§		
CHAMPION, III, ET AL.,	§		
	§		
Defendants.	§		
LESS, SITUATE IN STARR COUNTY, STATE OF TEXAS; AND AUGUSTO O. CHAMPION, III, ET AL.,	00 00 00 00 00 00 00		

UNITED STATES' RESPONSE TO THE DISTRICT COURT'S ORDER FOR A CASE STATUS UPDATE

COMES NOW the United States of America (hereinafter "United States"), and in response to the District Court's October 17, 2018, Order to inform the Court on the status of the case.

The United States initiated this proceeding with the filing of a declaration of taking and complaint on January 22, 2009. [Doc. Nos. 1 & 2]. The United States deposited estimated just compensation of \$13,000 into the registry of the Court on February 11, 2009, and the deposit caused title to certain interests in real property to vest in the United States by operation of the Declaration of Taking Act, 40 U.S.C. § 3114. The United States amended its complaint and declaration of taking on August 2, 2017. [Doc. Nos. 14 & 15].

These takings consist of approximately one acre of fee interest in real property: (a) 0.982 acres identified as Tract RGV-MCS-1018, and (b) 0.0533 acres identified as Tract RGV-MCS-1026. [Doc. No. 15-1]. The United States has identified a number of parties—some of whom the

United States believes live in Mexico—with a potential interest in just compensation in this matter.

[Doc. No. 15-1, pp. 16-19]. A map of the takings is below:



[remainder of page intentionally left blank]

The United States is in the process of determining what additional land, if any, the United States will need to take from owners who are part of this proceeding. Additionally, due to the large number of individuals with a potential interest in just compensation and the inability of the United States to locate all of them, the United States will need to publish notice in this case. The United States cannot do so until funds become available.

Dated: November 9, 2018.

Respectfully submitted,

RYAN K. PATRICK, United States Attorney

By: <u>s/Richard A. Kincheloe</u>

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Certificate of Service

The undersigned certifies that he served the foregoing Status Report on the parties remaining in this case on November 9, 2018, by first-class U.S. mail, postage prepaid.

S/ Richard A. Kincheloe
Richard A. Kincheloe
Assistant United States Attorney

Assistant United States Attorney